

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THROUGHPUTER, INC.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

No. 2:22-cv-00344-BJR

**JOINT MOTION TO MODIFY
SCHEDULING ORDER AND ORDER**


Pursuant to LCR 16(b)(6), Plaintiff ThroughPuter, Inc. and Defendant Microsoft Corporation (collectively, the “Parties”), by and through their undersigned counsel, hereby respectfully move the Court to modify the Scheduling Order (Dkt. 112). The Parties have met and conferred and agreed on the proposed schedule identified below.

Event	Original Dates (Dkt. 112)	Proposed Dates
Disclosure of Asserted Claims	August 16, 2024	August 30, 2024
Non-infringement and Invalidity Contentions	October 15, 2024	November 12, 2024
Proposed Terms of Construction	November 11, 2024	November 26, 2024
Preliminary Claim Construction	December 11, 2024	December 20, 2024
Joint Claim Construction	January 17, 2025	January 31, 2025
Opening Claim Construction Brief	February 21, 2025	March 7, 2025
Responsive Claim Construction Brief	April 11, 2025	April 25, 2025
Deadline to Amend Pleadings	April 11, 2025	May 9, 2025
Claim Construction Hearing	TBD	TBD

JOINT MOTION TO MODIFY SCHEDULING ORDER AND
ORDER - 1

Civil Action No. 22-CV-00344-BJR

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Event	Original Dates (Dkt. 112)	Proposed Dates
Close of Fact Discovery	September 19, 2025	October 3, 2025
Opening Expert Disclosures	October 28, 2025	November 12, 2025
Responsive Expert Disclosures	December 6, 2025	December 19, 2025
Reply Expert Disclosures	December 20, 2025	January 13, 2026
Close of Expert Discovery	January 23, 2026	February 12, 2026
Dispositive Motion Cutoff	February 27, 2026	March 12, 2026
Trial	TBD	TBD

The Parties respectfully submit that there is good cause for their proposed extension. Due to the personal and professional obligations of Plaintiff's lead counsel, Defendant agreed to extend the deadline for service of Plaintiff's infringement contentions. With such an extension, the parties have agreed to similarly adjust the remaining deadlines in the schedule. The parties proposed schedule adjustments do not require rescheduling any previously scheduled Court appearances.

This request is not made in bad faith or to cause undue delay. In view of the foregoing, the Parties respectfully request that the Court grant this joint motion and modify the Scheduling Order as proposed herein.

Presented by:

Dated: August 13, 2024

/s/ Cook Alciati

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*Attorneys for Defendant
Microsoft Corporation*

ORDER

IT IS SO ORDERED.

DATED this 14th day of August, 2024.



The Honorable Barbara J. Rothstein
SENIOR UNITED STATES DISTRICT JUDGE